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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/540,696

06/24/2005

Bart Michiel De Boer

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

RICHARDSON, CHRISTOPHER J

ART UNIT

PAPER NUMBER

4178

MAIL DATE

DELIVERY MODE

12/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/540,696	Applicant(s) DE BOER ET AL.	
	Examiner Christopher J. Richardson	Art Unit 4178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/27/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. Figures 1,2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-4 are rejected under 35 U.S.C. 102(a) as being anticipated by applicants admitted prior art (AAPA-Figs 1,2 and background of the invention).

Regarding Claim 1, AAPA teaches an information recording apparatus designed for recording information on an optical medium, wherein irradiation means emitting a light beam form series of recorded marks whose lengths between leading edge and trailing edge correspond to respective binary values (AAPA background of the invention lines 5-10), characterized in that said irradiation means are sequentially pulsed to at least a high laser current write level from a low laser current level LL close to zero during the writing of a recorded mark (Fig 1).

Note: AAPA Fig 1 reads on the limitation characterized in that said irradiation means are sequentially pulsed to at least a high laser current write level from a low laser current level LL close to zero during the writing of a recorded mark as the low laser current level is the threshold level (TL), which is close to the x-axis, which is considered zero.

Regarding Claim 2, AAPA teaches wherein said low laser current level LL is equal to zero when an information recording apparatus is shut off, there is no current, and therefore it would be zero.

Regarding Claim 3, AAPA teaches wherein said irradiation means are sequentially pulsed to a high laser current erase level from said low laser current level close to zero during the erasing of a recorded mark (Fig 1).

Note: AAPA Fig 1 reads on the limitation sequentially pulsed to a high laser current erase level from said low laser current level close to zero during the erasing of a

recorded mark as the low laser current level is the threshold level (TL), which is close to the x-axis, which is considered zero.

Regarding Claim 4, AAPA teaches wherein a bias level is reached during time intervals different from writing and/or erasing time intervals, and wherein said bias laser current level is substantially equal to said low laser current level (Fig 1).

Note: AAPA Fig 1 reads on the limitation bias laser current level is substantially equal to said low laser current level as the bias level (BL) is close to the x-axis, which is considered zero.

5. Claim 5-8 are rejected under 35 U.S.C. 102(a) as being anticipated by applicants admitted prior art (AAPA-Figs 1,2 and background of the invention).

Regarding Claim 5, AAPA teaches an information recording method for recording information on an optical medium by forming with a light beam emitted from irradiation means, series of recorded marks whose lengths between leading edge and trailing edge correspond to respective binary values by irradiation means with a beam of light, characterized in that it comprises a step of sequentially pulsing said irradiation means to a high laser current write level from a low laser current level LL close to zero during the writing of a recorded mark (Fig 1).

Note: AAPA Fig 1 reads on the limitation characterized in that it comprises a step of sequentially pulsing said irradiation means to a high laser current write level from a low laser current level LL close to zero during the writing of a recorded mark as the low laser current level is the threshold level (TL), which is close to the x-axis, which is considered zero.

Regarding Claim 6, AAPA teaches wherein said low laser current level LL is equal to zero when an information recording apparatus is shut off, there is no current, and therefore it would be zero.

Regarding Claim 7, AAPA teaches wherein it comprises a step of pulsing said irradiation means to a high laser current erase level from said low laser current level close to zero during the erasing of a recorded mark (Fig 1).

Note: AAPA Fig 1 reads on the limitation a step of pulsing said irradiation means to a high laser current erase level from said low laser current level close to zero during the erasing of a recorded mark as the low laser current level is the threshold level (TL), which is close to the x-axis, which is considered zero.

Regarding Claim 8, AAPA teaches wherein a bias level is reached during time intervals different from writing and/or erasing time intervals, and wherein said bias laser current level is substantially equal to said low laser current level.

Note: AAPA Fig 1 reads on the limitation bias laser current level is substantially equal to said low laser current level as the bias level (BL) is close to the x-axis, which is considered zero.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Richardson whose telephone number is 571-270-3439. The examiner can normally be reached on M-F, alternate Fridays off, 7:30-5:00 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on 571-272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.J.R.
12/07/2007

/Hai Tran/
Supervisory Patent Examiner, Art Unit 4178